

A.R.D.C. No. 6186356

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CARLTON CLAYTON,)
)
 Plaintiff,)
)
)
 v.) No:
)
)
 ESVIN VASQUEZ, individually and as an)
 Agent of ESVIN AROLDO VASQUEZ,)
 d/b/a EAV EXPRESS ; and ESVIN)
 AROLDO VASQUEZ, d/b/a)
 EAV EXPRESS,)
)
)
)
 Defendants.)

NOTICE OF REMOVAL

NOW COMES the defendant, ESVIN VASQUEZ, individually and as an Agent of
ESVIN AROLDO VASQUEZ, d/b/a EAV EXPRESS; and ESVIN AROLDO VASQUEZ,
d/b/a EAV EXPRESS, by and through his attorneys, MAISEL & ASSOCIATES, and
pursuant to 28 USC §1441 and §1446, seeks to remove this cause to the United States
District Court for the Northern District of Illinois. In further support hereof, this defendant
states as follows:

1. On July 19, 2021, there was commenced and now pending in the Circuit Court of Cook County, Illinois, a certain civil action under case number 2021 L 7296, in which the plaintiff, Carlton Clayton, is seeking recovery for personal injuries as a result of a motor vehicle accident which occurred on May 14, 2021 in Chicago, Illinois.

2. This lawsuit brought by the plaintiff, Carlton Clayton , seeks recovery for damages and personal injuries based on a negligence theory. The named defendant is ESVIN VASQUEZ, individually and as an Agent of ESVIN AROLDO VASQUEZ, d/b/a EAV EXPRESS; and ESVIN AROLDO VASQUEZ, d/b/a EAV EXPRESS. The plaintiff, Carlton Clayton, is a citizen of the State of Illinois. The Defendant, Esvin Aroldo Vasquez, is a citizen of the State of Tennessee.

3. The aforementioned lawsuit brought by the plaintiff seeks damages in excess of \$75,000.00.

4. This defendant states that the lawsuit brought on behalf of Carlton Clayton involves a controversy with complete diversity of citizenship between citizens of different states. This defendants affirmatively states that:

- a. The plaintiff was, at the commencement of this action, and is now, a citizen of the State of Illinois;
- b. The defendant, Esvin Aroldo Vasquez, is a citizen of the State of Tennessee and does not have his principal place of business in Illinois;
- c. The defendant, Esvin Aroldo Vasquez, was at the commencement of this action, and is now, a citizen of the State of Tennessee and resides at 11124 Pin Oak Drive, Antioch, Tennessee 37013.

5. Since this matter involves a controversy between an individual plaintiff who is a citizen of the State of Illinois, an individual who is a citizen of the State of Tennessee, this defendant requests removal of this action from the Circuit Court of Cook County, Illinois to the United States District Court for the Northern District of Illinois, Eastern Division. Attached hereto and made a part hereof are copies of the following documents filed by the plaintiff and the defendant in the Circuit Court of Cook County, Illinois under case number 2021 L 6230:

- a. Plaintiff's Complaint at Law (Exhibit "A");
- b. Summons directed to Esvin Aroldo Vasquez (Exhibit "B");
- c. Appearance and Jury Demand on behalf of Esvin Aroldo Vasquez (Exhibit "C").

WHEREFORE, the defendant, ESVIN VASQUEZ, individually and as an Agent of ESVIN AROLDO VASQUEZ, d/b/a EAV EXPRESS; and ESVIN AROLDO VASQUEZ, d/b/a EAV EXPRESS prays that he may affect removal of this action from the Circuit Court of Cook County, Illinois to the United States District Court for the Northern District of Illinois, Eastern Division, and that this matter be tried before a jury.

Respectfully submitted,

MAISEL & ASSOCIATES

By: /s/Joseph J. Wilson

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